

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 1, 2001
8 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bernie Heier
Bob Workman

Commissioners Absent: Larry Hudkins, Vice Chair
Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
JANUARY 25, 2001**

MOTION: Heier moved and Workman seconded approval of the Staff Meeting minutes of January 25, 2001. Heier, Workman and Campbell voted aye. Motion carried.

2 ADDITION TO THE AGENDA

A. Nebraska Association of County Officials (NACO) Western Interstate Conference

MOTION: Workman moved and Heier seconded approval of the addition to the agenda. Workman, Heier and Campbell voted aye. Motion carried.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- O Government Committee will hear LB 366 (changes provisions relating to zoning by county boards and nonfarm buildings) today.
- O Health Committee is scheduled to hear LB 479 (changes provisions for the commitment of mentally incompetent persons to the Department of Health and Human Services) today. Health Committee has also set the hearings for LB 640 (renames grants and provides for a county aid program under the Juvenile Services Act) and LB 652 (changes provisions relating to detention and evaluation costs for juveniles).

Eagan said LB 640 could be used as the vehicle for juvenile justice issues, and language from LB 595 (changes provisions for pre-adjudication and post-adjudication costs associated with juveniles) could be rolled in to give counties protection from unlimited liability for boarding contracts costs. He said Lancaster County will be putting money into community based programs and it would be beneficial to tie in this local effort, in exchange for relief from boarding contract costs. Eagan said it has been suggested that language requiring a 40 percent match be eliminated and that localities be allowed to negotiate this amount, based on local effort.

- O Judiciary Committee has scheduled hearing of LB 598 (changes placement and treatment services provisions for juveniles), LB 348 (provides for transfer of the clerk of the district court from a county to a state reimbursed position) and LB 517 (changes provisions governing in forma pauperis proceedings).
- O Revenue Committee will hear the inheritance tax bills - LB 28 (changes an exemption amount subject to inheritance tax and creates the County Inheritance Tax Replacement Fund), LB 266 (provides termination dates for the inheritance, estate, and generation-skipping transfer taxes) and LB 725 (changes the distribution of estate tax revenue and changes the exempt amount for inheritance tax purposes) on February 28th.
- O Transportation Committee will hear LB 616 (authorizes road maintenance agreements between counties, cities and villages) on February 12th. Lancaster County has been asked to provide a Statement of Intent and examples.

Kissel also reviewed LB 447 (provides for acquisition of county roads through arbitration) and LB 709 (restricts eminent domain powers of natural resources districts).

Heier said he believes the County Board should take a position on these bills, noting the Lower Platte South Natural Resources District (NRD) is on record as supporting LB 709.

Kissel explained that LB 709 would take away eminent domain authority from the NRD's for recreational purposes. He said NRD's would be unable to build dams cost effectively if the recreational benefits were eliminated. Kissel said the fact that some NRD's have condemned land for bike trails was likely the impetus for the bill.

Kissel said LB 447 eliminates a county's veto power for a road vacation requested by a NRD and forces the county into arbitration.

MOTION: Heier moved and Workman seconded to oppose LB 447 and to apprise the Nebraska Association of County Officials (NACO) of Lancaster County's opposition to the bill. Heier, Workman and Campbell voted aye. Motion carried.

The Board asked for clarification of the intent of LB 709 and scheduled further discussion of LB 447 and LB 709 on the February 6th Staff Meeting agenda.

Jennifer Brinkman, Administrative Assistant to the Mayor, distributed copies of testimony the City submitted to the Legislature regarding the following bills (Exhibit B):

- O LB 24 (creates and provides duties for the Nebraska Immunization Registry Task Force)
- O LB 161 (changes amounts recoverable under the Political Subdivisions Tort Claims Act)
- O LB 166 (reduces the alcohol concentration limits allowed while operating a motorboat or motor vehicle)
- O LB 167 (reduces the alcohol concentration limits allowed while operating a motor vehicle)
- O LB 322 (creates the Child Care Licensure Act)
- O LB 337 (changes the termination date of the Nebraska Litter Reduction and Recycling Act)
- O LB 423 (changes designated smoking area provisions under the Nebraska Clean Indoor Act)

Brinkman also noted that:

- O LB 187 (appropriates funds to the Department of Health and Human Services for respite care programs) would provide the local match for the National Care Givers legislation and would allocate \$200,000 to the Lincoln Area Agency on Aging.
- O Julie Righter, 911/Emergency Communications Director, will testify in support of LB 585 (provides for enhanced wireless 911 service and establishes a surcharge on wireless service subscribers).

Brinkman asked whether the County plans to take a position on LB 142 (authorizes creation of municipal counties).

Campbell said there has been some discussion with Douglas County, but Lancaster County has not taken a position on the bill.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, said he has relayed to Egan which bills the Health Department is interested in. He said he has also identified the following bills which may be of interest to other county agencies:

- O LB 190 (authorizes enforcement of occupant protection system requirements)
- O LB 260 (changes provisions for railroads removing litter)
- O LB 293 (prohibits riding on vehicles)
- O LB 337 (changes the termination date of the Nebraska Litter Reduction and Recycling Act)
- O LB 352 (provides for a driver's safety training program as pretrial diversion)
- O LB 405 (provides duties for the Department of Natural Resources with respect to water rights and water wells)
- O LB 468 (adopts the Nursing Scholarship Act, the Nursing Incentive to Practice Act, the Nursing Student Loan Act , and the Nursing Loan Repayment Act)
- O LB 605 (provides additional penalties for littering)

Holmes also commented on the Health Trust Fund and Health Care Cash Fund (tobacco settlement money) and said the Health Department would like to see public health receive funding, as it was not included in the Governor's proposal.

Egan asked Brinkman to explain the intent of LB 737 (authorizes the provision of ambulance service).

Brinkman said the City requested this legislation in response to concerns expressed by the Lancaster County Medical Society and EMS, Inc. that the City's ordinance allows open entrance to provide non-emergency transport. The bill would also give the City the authority to require all non-emergency transporters to use the Medical Director for EMS, Inc.

The Board asked Kissel and Jack Moors, City Lobbyist, to keep each other apprised of pertinent issues.

Brinkman said she will continue to send copies of legislative testimony submitted on behalf of joint agencies to Egan and will indicate any that the City would like the County to support. The Board agreed to reciprocate.

4 LANCASTER COUNTY AGRICULTURAL SOCIETY'S EVENT CENTER UPDATE - Leon Meyer, Managing Director of the Event Center

Leon Meyer, Managing Director of the Lancaster County Agricultural Society's Event Center, presented a schedule of events for 2001 (Exhibit C) and said an additional 70 dates are on hold. He said scheduling is ahead of projections and the Event Center is currently at a break even point.

The Board asked Meyer to give a presentation on the Event Center at a County Board of Commissioners Meeting.

Board consensus to hold the next Management Team Retreat at the Event Center.

Meyer also reported on the Grand Opening, which was held January 27th.

5 INFRASTRUCTURE FINANCING STUDY ADVISORY COMMITTEE - Steve Henrichsen, Planning Department

Steve Henrichsen, Planning Department, reviewed the *Infrastructure Financing Study, Advisory Committee Final Report* (Exhibit D). He said the study focused on City capital improvement costs and looked at a full range of City services and options. The study also made several recommendations that apply to the County:

Water and Wastewater

- O Establish special districts to fund a portion of the capital costs to construct basin sanitary sewer trunk line and section line water mains (not currently allowed by law)
- O Establish a connection fee in newly-developing areas, to be paid at the time of building permit, to recover a portion of the capital costs to build trunk sewer lines and water mains

Arterial Streets

- O Establish special districts to fund a portion of the capital costs to construct arterial roads (not currently allowed by law)
- O Establish a road impact fee, to be paid at the time of building permit, to recover a portion of road improvement costs in developing areas
- O Explore a county-wide wheel tax (not currently allowed by law)
- O Encourage City and County to cooperate on development and right-of-way acquisition so that rural roads can safely and efficiently transition into urban roads

Campbell noted that a county-wide wheel tax, if implemented, would need to be divided proportionately among all the communities in Lancaster County.

NOTE: *Infrastructure Financing Study, Advisory Committee Final Report* is available on the Planning Department's website: www.ci.lincoln.ne.us/city/plan.

6 BUDGET INSTRUCTION LETTER FOR FISCAL YEAR 2001-02

Dave Kroeker, Budget and Fiscal Officer, reviewed drafts of the following documents (see agenda packet):

- O Letter to county agencies regarding Fiscal Year 2001-02 budget requests
- O *Budget Calendar for Fiscal Year 2002*
- O *Department Budget Hearing Schedule*

The Board scheduled further discussion on the February 6th Staff Meeting agenda.

7 VETERANS' SERVICE QUARTERLY REPORT - Gary Chalupa, Veterans' Service Officer

Gary Chalupa, Veterans' Service Officer, presented the *Quarterly Report of County Veterans' Service Committee* (Exhibit E).

Chalupa also reported that:

- O Veterans Administration is conducting a feasibility study to determine whether or not to convert the third floor of the Veterans Administration Medical Center into a nursing home for veterans
- O Eldon Wilhelm's term on the County Veterans' Service Committee will expire on June 30, 2001

8 NEBRASKA EMERGENCY MANAGEMENT AGENCY (NEMA) GRANT FOR TONE ALERT RECEIVERS IN COUNTY SCHOOLS - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, requested authorization to submit a proposal for a Nebraska Emergency Management Agency (NEMA) grant to fund placement of tone alert receivers in all of Lancaster County's public schools that are outside the city limits of Lincoln. He said the NEMA grant requires a 50/50 local match and the total cost to the County will be \$2,891, if the grant is received.

Campbell said this would be an appropriate use of the Keno Fund, as it is a one-time expense.

MOTION: Workman moved and Heier seconded to accept the proposal to buy tone alert receivers for the schools, at an approximate cost of \$3,000, to be matched by Nebraska Emergency Management Agency (NEMA) funds. Workman, Heier and Campbell voted aye. Motion carried.

9 POTENTIAL LITIGATION - Dave Johnson, Deputy County Attorney

MOTION: Heier moved and Workman seconded to enter Executive Session at 10:26 a.m. for discussion of potential litigation. Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Workman seconded to exit Executive Session at 10:40 a.m. Heier, Workman and Campbell voted aye. Motion carried.

10 ACTION ITEMS

A. Microcomputer Request from Juvenile Court, \$2,045 from the Microcomputer Fund for Additional Memory, Laser Printer, Three (3) Scanners, Etc.

MOTION: Workman moved and Heier seconded approval. Workman, Heier and Campbell voted aye. Motion carried.

B. County Board Committee Assignments

Deferred until Staff Meeting on February 6th.

C. Authorize Dave Kroeker, Budget and Fiscal Officer, to Sign Application for Municipal General Obligation and Revenue Bonds Preferred Pricing with Moody's Investors Service, Retroactive to January 29, 2001

MOTION: Heier moved and Workman seconded approval. Heier, Workman and Campbell voted aye. Motion carried.

D. Microcomputer Request C32001-030 from the County Extension Office, \$8,938.80 from the Microcomputer Fund for Five (5) PC's and Five (5) 17" Monitors

MOTION: Workman moved and Heier seconded approval. Heier, Workman and Campbell voted aye. Motion carried.

11 CONSENT ITEMS

A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Proxy for Hartford Life Insurance Company

MOTION: Heier moved and Workman seconded approval. Workman, Heier and Campbell voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Employee Recognition Luncheon

Board consensus to hold the luncheon at Windsor Stables Reception Centre, 1024 "L" Street.

B. City/County Common Schedule

The Board reviewed the tentative City/County Common schedule (Exhibit F). Board members indicated a preference for a starting time of 9 a.m. and suggested that the meeting on July 3rd be cancelled.

C. Waverly High School Sign

Campbell said the Waverly School Board is working with the State on this issue.

D. Letter from the Lincoln Independent Business Association (LIBA) Regarding Department of Administrative Services

The Board asked Eagan to draft a letter of response indicating that creation of the Administrative Department was discussed at the Budget Monitoring Committee and was included in the budget. The letter will also extend an invitation for Lincoln Independent Business Association (LIBA) representatives to meet with the Chair and the Vice Chair to discuss concerns.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Committee - Workman

No report was given.

B. Lancaster County Fairgrounds Joint Public Agency - Heier, Workman

Heier reported that \$800,000 was paid out for expenditures.

ADDITION TO THE AGENDA

A. Nebraska Association of County Officials (NACO) Western Interstate Conference, May 23-26, 2001 in Hawaii

The Board received information on the conference and scheduled discussion of attendance on the February 6th Staff Meeting agenda.

14 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk